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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92050207
Party	Plaintiff Michael J. Peter
Correspondence Address	DANIEL S POLLEY DANIEL S POLLEY PA 7251 WEST PALMETTO PARK ROAD , SUITE 202 BOCA RATON, FL 33433 UNITED STATES dan@danpolley.com
Submission	Other Motions/Papers
Filer's Name	Daniel S. Polley
Filer's e-mail	dan@danpolley.com
Signature	/Daniel S. Polley/
Date	04/04/2016
Attachments	Motion for Suspension to consider Consent Agreement 4-4-2016.pdf(86689 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration No. 2,783,766  
For the Mark: SG and Design  
Registration Date: November 18, 2003

MICHAEL J. PETER,	)	
	)	
Petitioner,	)	Cancellation No. 92050207
v.	)	
	)	
SUICIDE GIRLS, INC.	)	
	)	
Registrant.	)	
_____	)	

**PETITIONER’S MOTION FOR SUSPENSION OF CANCELLATION**  
**PROCEEDING WITH CONSENT**

Petitioner, Michael J. Peter, (“Petitioner”), by and through the undersigned counsel, hereby files this Motion for Suspension of Cancellation Proceeding with Consent of Registrant and in support thereof:

1. The parties of entered into a Coexistence Agreement dated March 25, 2016, which is attached as an Exhibit to this Motion.
2. The Coexistence Agreement also contains Registrant’s consent to registration of Petitioner’s currently suspended pending application Serial No. 77498645 (“the ‘645 application”), which was refused registration by the Examining Attorney in view of Registrant’s U.S. Registration No. 2,783,766 (“the ‘766 Registration”).
3. With this proceeding suspended Petitioner will forward a copy of the parties’ Coexistence Agreement as part of its request to remove the ‘645 application

from suspension and withdrawing the citation of the '766 Registration against registration of the SG mark in the '645 application.

4. As per the terms of the Coexistence Agreement with the publication of the '645 application, Petitioner will file a Motion to Withdraw/Dismiss the Cancellation Proceeding, with prejudice.
5. TBMP §510.03(a) recognizes that the "parties may also agree to suspend proceeding for consideration of a matter by an examining attorney, including the disposition of a party's application before the examining attorney. *See, e.g., The Tamarkin Co. v. Seaway Food Town Inc.*, 34 USPQ2d 1587, 1592 (TTAB 1995) (suspended pending consideration of consent agreement by examining attorney).

WHEREFORE, Petitioner respectfully requests that the Board grant this Motion for Suspension of Cancellation Proceeding with Consent to allow the examining attorney assigned to Petitioner's pending service mark application to consider the Coexistence Agreement entered into between the parties.

Respectfully submitted,  
Attorneys for Petitioner

/Daniel S. Polley/  
Daniel S. Polley, Reg. No. 34,902  
DANIEL S. POLLEY, P.A.  
7251 West Palmetto Park Road  
Suite 202  
Boca Raton, Florida 33433  
Telephone: (561) 347-5955  
Fax: (561) 807-5987  
E-mail: dan@danpolley.com

CERTIFICATE OF SERVICE

I hereby certify that on the 4<sup>th</sup> day of April, 2016, a true copy of the foregoing  
MOTION FOR SUSPENSION OF CANCELLATION PROCEEDING WITH  
CONSENT  
was served via email, per agreement of the parties as follows:

Paul Loving, Esq.  
paulloving@gmail.com

Executed on April 4, 2016

/Daniel S. Polley/  
Daniel S. Polley, Reg. No. 34,902